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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,770	10/11/2000	Hiroyasu Kuramatsu	Q61175	5048

7590 06/19/2002

Sughrue Mion Zinn MacPeak & Seas  
2100 Pennsylvania Avenue NW  
Washington, DC 20037

EXAMINER

ZAMANI, ALI A

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 06/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/685,770

Applicant(s)

KURAMATSU, HIROYASU

Examiner

Ali A. Zamani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 October 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14, 15, 17-19 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 12, 13, 16, 20 and 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al. (US Pat. No. 6,341,133 B1) in view of Morgenthaler (US Pat. No. 6,310,609 B1).

3. In regard to claims 1-9, Kawamoto et al. teach a communication terminal comprising: display (23) for displaying information such characters (40); input (25) for receiving input (27) of operation information; processing for generating information based on operation information of the input (Fig. 5, col. 7, lines 45-49); reception for receiving contents data (33) described in a predetermined information description language based on operation information (col. 10, lines 1-20); code detection for detecting a predetermined code indicative of the end of contents data received by the reception (see Fig. 14). Kawamoto et al. also teach a portable communication terminal connectable to a radio communication network and a portable communication terminal is a small-sized resulting in having an excellent portability and a good operability, the multimedia information can be obtained from the server connected to the radio communication

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network, the multimedia information can be outputted to a human-machine interface means, and the portable communication terminal can access to the server connected to the external communication network so as to obtained the multimedia information from the server without installing the terminal application software or the like into the portable communication terminal, the obtained multimedia information is processed or converted in accordance with an output capability of the human-machine interface means so that the information can be outputted to the human-machine interface means (col. 2, lines 35-54). Kawamoto et al. substantially teach the above claimed limitations except for teaching a "light emission control means". However Morgenthaler teaches a user interface with guide lights for a communications device, such as a mobile telephone, is provided to assist a user in the correct and efficient operation of the device having a display, and a keypad which contains a numerical keys and other control keys (see the abstract) and also the user interface includes a means for visually identifying the appropriate keys includes a light source which is mounted beneath each of the translucent keys so that when the light source is illuminated, the key associated with that light source will be illuminated for easy identification by the user and the light source may be a light bulb, or light emitting diode (LED) which is positioned within the key, or adjacent key, such that the light source is easily visible by the user of the telephone and the light sources may emit colored or white light (see col. 3, lines 49-66). Morgenthaler also teaches that a timer may be provided which will monitor the length of time the user interface lights the keypad, after the keypad has been illuminated for what is considered a sufficient period of time to assist the user in making menu selections, the

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illumination is deactivated to save power (col. 4, lines 21-26). Morgenthaler further teaches that the user interface with guide lights may be implemented in a variety of other devices, such devices could include wireless communicators, which include functions of Internet access, facsimile transmission and electronic mail in addition to being a mobile telephone, wire-based telephones and other devices having a keypad which directs an internal command sequence (col. 9, lines 16-25). Thus, it would have been obvious to one a person of ordinary skill at the time the invention was made to have combined the teachings of Kawamoto et al. and Morgenthaler such that in a communication terminal device by providing the light-emission control as taught by Morgenthaler in the device of Kawamoto et al. in order to provide a communication terminal device , wherein a terminal communication means access to a server or a data base connected to a portable telephone system network with saving power consumption.

***Claim Rejections - 35 USC § 103***

4. Claims 10-11, 14-15, 17-19 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamoto et al.-Morgenthaler in view of Sudo et al. (US Pat. No. 5,999,827).
5. In regard to claims 10-11, 14-15, 17-19 and 21-23, Kawamoto et al.-Morgenthaler are discussed above. Kawamoto et al. and Morgenthaler substantially teach the above claimed limitations except for teaching a “reception means for receiving contents data described in a predetermined information description language expressing one contents data by a plurality of

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cards based on said operation information". However, Sudo et al. teach a communication terminal apparatus such as a portable telephone apparatus has a main body, a selection operation (see the abstract). Sudo et al. also disclose a controller (47) operates based on programs stored in a ROM (48) and data read into a RAM (49) and the controller (47) also controls a transmitting/receiving circuit (40) to transmit and receive information to and from other communication terminals via an antenna (41) connected to the transmitting/receiving circuit (40), the controller (47) has a card socket (43) connected thereto, and reads out all the information on a subscriber from a subscriber ID card (42) (see col. 7, lines 4-20). Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Kawamoto et al. and Sudo et al. to provide a communication terminal apparatus including a selection operation unit and a operation input unit which can change function by operation from the selection unit, so that many functions can be selectively switched without increasing the number of keys required for input.

6. Claims 12-13, 16, 20 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach a communication terminal as set forth in above claims, further comprising detecting tag setting for in advance setting either an end tag indicative of the end of said contents or a card end tag indicative of the end of each said card to be detected, wherein said code detection means detects a tag set by said detection tag

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setting means, time counting means for starting counting time from when said operation is input by said input means.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fiero, Song and Bowen et al. are made of record to show various type of backlighting for a communication terminal devices.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Zamani whose telephone number is (703) 308-6414. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerepe, can be reached on (703) 305-4709.

### **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

### **or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ali Zamani

June 03, 2002

A handwritten signature in black ink, appearing to read 'R. Hjerpe', with a stylized flourish extending to the right.

RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600